

IN THE SENATE OF THE UNITED STATES.

APRIL 7, 1858.—Ordered to be printed.

Mr. MALLORY submitted the following

REPORT.

[To accompany Bill S. 245.]

The Committee on Claims, to whom was referred the memorial of George Jewett, executor of Luther Jewett, late collector of the districts of Portland and Falmouth, praying an allowance for certain money, &c., have had the same under consideration, and thereupon report :

The late Luther Jewett, as collector of the customs for the districts of Portland and Falmouth, being required by the Treasury Department to deposit the public money in his hands from time to time with the assistant treasurer of the United States at Boston, asked authority of the department to employ Messrs. Langley & Co., expressmen, to carry the money. From the testimony on file before the committee, it clearly appears that Langley & Co., whose business was exclusively that of expressmen, and who were employed by the banks and merchants generally to carry specie and money securities between Boston and Portland, were in good standing, and had the entire confidence of the public. It would seem, too, that, with the exception of going personally to Boston with the money, the employment of this express was as safe and prudent a course as Mr. Jewett could have adopted.

In his application, Mr. Jewett stated that the charge of Langley & Co. would be "twenty-five cents for each thousand dollars;" and, in reply, the department, acknowledging the receipt of his letter, gave no distinct permission to employ the express, but said: "*I have received your letter of the 3d instant, in reply to mine of the 23d ultimo. I would state, in reply, that the act of March 3, 1849, requires that the collectors shall deposit their collections; the expenses attending such deposit will be a proper charge upon the treasury, and will be allowed in the settlement of your account as disbursing agent.*"

Jewett made his deposits, regarding this letter as his authority, with the sub-treasury at Boston, through Langley & Co., and the expenses were charged in his accounts and allowed by the department.

Langley & Co. suddenly failed in the fall of 1852, and Jewett now

found that they had failed to deposit two sums of money severally placed in their hands—one of \$1,000 and one of \$1,500.

This failure was total, and brought great distress upon the mercantile community; and the committee are assured, by a reliable statement, that Jewett himself lost a large sum of his own money by it.

The memorialist produced Langley & Co.'s receipt for the \$1,000, but none for the \$1,500 nor does he make such proof as your committee deem satisfactory that he sent this sum by the express.

Under the circumstances, your committee report a bill for the relief of the memorialist to the extent of the sum of \$1,000.